



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.06.2016

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THE HONOURABLE MR.JUSTICE T.RAJA

WP(MD)No.9977 of 2016

and

W.M.P(MD)Nos.7863 and 7864 of 2016

K.Sumathi

.. Petitioner

Vs.

1.The Director General of Police,
CRPF, Lodhi Road, CGO Complex,
(Ministry of Home Affairs),
New Delhi 110 003.

2.The Inspector General of Police,
CRPF, Southern Sector,
Gayathiri Hill,
Hyderabad 33.

3.The Deputy Inspector General of Police,
CRPF Group Centre,
Yelahanka, Bangalore 560 064.

4.The Commandant,
CRPF Group Centre,
Yelahanka, Bangalore 560 064.

.. Respondents

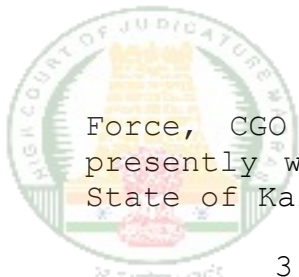
Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Certiorari by calling for the records of the 1st respondent in his Impugned Transfer order No.T-IX-15(ACO)/2016.Estt. dated 19.02.2016 (in that Impugned Officer Order Column No.131) and quash the same as illegal contrary.

For Petitioner : Ms.M.Elizabethgeetha
For Respondents : Mr.G.Rajaraman,
CGSC

ORDER

K.Sumathi, the petitioner herein, who is presently serving in Karnataka, has been issued with a transfer order, dated 19.02.2016, transferring her from Bangalore to Maharashtra. Challenging the said impugned transfer order issued by the Directorate of Central Reserve Police Force, CGO Complex, Lodhi Road, New Delhi, she has come to this Court without approaching the High Court of Karnataka.

2. Learned Standing Counsel for the respondents, objecting the maintainability of the writ petition, stated that when the order of transfer has been issued by the Directorate of Central Reserve Police



Force, CGO Complex, Lodhi Road, New Delhi, to the petitioner, who is presently working in Bangalore, the cause of action arises only in the State of Karnataka although she belongs to the State of Tamil Nadu.

3.I find merits in the submission made by the learned standing counsel for the respondents.

4.In reply, learned counsel for the petitioner would submit that in similar circumstances, orders have been passed by this Court in similar matters. But, this Court is not inclined to entertain the present writ petition, as it has got no territorial jurisdiction to entertain this writ petition, for, the petitioner is serving in Bangalore and the order of transfer has been passed by the Director General of Police, New Delhi. However, citing his residential address in Tamil Nadu, the petitioner cannot come to this Court. In this regard, it is relevant to consider a judgment of the Hon'ble Division Bench of this Court in E.Mary Oliviya Vs.E.Jsohua Milton reported in (2008) 7 MLJ 1012, wherein, the Division Bench has categorically held that mere residence of the petitioner cannot clothe the Court with jurisdiction unless part of cause of action had arisen in the said place.

5.In the case on hand, not even a part of the cause of action has arisen in the State of Tamil Nadu, to approach this Court, as the petitioner who is presently serving in Bangalore at Karnataka, has been transferred to Maharashtra, therefore, this Court has no territorial jurisdiction to entertain this writ petition.

6.Accordingly, the writ petition is dismissed. No costs. Consequently, W.M.P(MD)Nos.7863 and 7864 of 2016 are closed.

Sd/

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar.

To

1.The Director General of Police, CRPF, Lodhi Road, CGO Complex, (Ministry of Home Affairs), New Delhi 110 003.

2.The Inspector General of Police, CRPF, Southern Sector, Gayathiri Hill, Hyderabad 33.

3.The Deputy Inspector General of Police, CRPF Group Centre, Yelahanka, Bangalore 560 064.

4.The Commandant, CRPF Group Centre, Yelahanka, Bangalore 560 064.

+1CC to M/S. M.C.Swamy, Advocate, SR.No. 28195

+1CC to M/S. M.Elizabeth Geetha, Advocate, SR.No. 28671

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